

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JAMES P. O'SULLIVAN and
PAMELA GILBERT O'SULLIVAN,

Plaintiffs,

vs.

Case No. 04-CV-74353
HON. GEORGE CARAM STEEH

CHARLES R. VAN ASSCHE, SR.,
VERONICA J. VAN ASSCHE, and
PAUL VAN ASSCHE,

Defendants.

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JUDGMENT

Pursuant to the court's Order of even date granting defendants' motion for summary judgment, and granting plaintiffs summary judgment as to defendants' counterclaims,

IT IS ORDERED AND ADJUDGED that judgment hereby is entered in favor of defendants Charles Van Assche, Sr., Veronica J. Van Assche, and Paul A. Van Assche, and against plaintiffs James P. O'Sullivan and Pamela Gilbert O'Sullivan as to plaintiff's claims, and judgment hereby is entered in favor of plaintiffs James P. O'Sullivan and Pamela Gilbert O'Sullivan and against defendants Charles Van Assche, Sr., Veronica J. Van Assche, and Paul A. Van Assche as to defendants' counterclaims on a finding that the Option to Purchase is valid and enforceable. Plaintiffs' claims are hereby DISMISSED with prejudice in their entirety. Defendants' counterclaims challenging the enforceability of the parties' April 18, 1995 "Option to Purchase Real Estate" are hereby DISMISSED with

prejudice. Defendants' breach of contract counterclaim seeking damages for repairs and maintenance are hereby DISMISSED without prejudice for lack of federal diversity jurisdiction.

Dated at Detroit , Michigan, March 10, 2006.

DAVID J. WEAVER
CLERK OF THE COURT

By: s/Josephine Chaffee
Deputy Clerk

CERTIFICATE OF SERVICE

Copies of this Order were served on the attorneys of record on March 10, 2006, by electronic and/or ordinary mail.

s/Josephine Chaffee
Secretary/Deputy Clerk